

## REMARKS

### **Amendments**

The claims are amended as noted above. Applicant reserves the right to file the canceled claims in future related applications. The pending claims are fully supported by the specification, for example at page 3, lines 3-7; page 6, lines 27-34; and page 8, lines 6-7. None of these amendments to the claims constitute new matter.

## THE OFFICE ACTION

### **I. Priority Documents**

The Applicant submits herewith certified copies of Australian patent application PQ 1920, filed August 2, 1999, and Australian patent application PQ 7240, filed May 3, 2000. The applicant notes, however, that this is a U.S. National Phase filing of a PCT application and that both the USPTO-issued Notification of Missing Requirements and Notification of Acceptance of Application under 35 U.S.C. § 371 include acknowledgement of receipt of the priority documents. Accordingly, submission of the certified copies of the priority documents should not be necessary.

### **II. Rejections of claims under 35 U.S.C. § 102.**

**A.** Claims 1, 2, 4-6, and 10-12 stand rejected under 35 U.S.C. § 102(b), alleged to be anticipated by EP 0032793. Specifically, the '793 publication is alleged to disclose a cleansing article made of a coated web with a cleansing agent that comprises silicone oils, waxes, and mineral oil, and that such an article is compatible with a protective glove. Applicants respectfully traverse the rejection.

According to M.P.E.P. § 2131, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.' *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). 'The identical invention must be shown in as complete detail as is contained in the...claim.' *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)."

The '793 reference describes a cleansing article that contains an oleaginous, substantially water-free cleansing agent, that can be in the form of a wipe or mitten. The '793 reference fails to teach, disclose, or suggest application of the cleansing article prior to the application of a latex glove nor

the benefits achieved thereby (e.g., enabling easy application of the latex glove and/or preventing allergic reaction to the latex).

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections under 35 U.S.C. § 102(b).

**B.** Claims 1, 2, and 4-8 stand rejected under 35 U.S.C. § 102(e), alleged to be anticipated by Hahn, et al. (U.S. Patent 5,804,203). Specifically, Hahn is alleged to disclose topical formulations that can be in the form of pre-moistened wipes that comprise vitamin E, cholesterol, and jojoba oil, and that such topical formulations are compatible with a protective glove. Applicants respectfully traverse the rejection.

The disclosure of Hahn discloses topical products that have formulations containing a significant amount of water (at least is excess of 30% by weight). Thus, the disclosure of Hahn fails to teach a method of applying a protective glove comprising contacting the skin of the hands and/or forearms with an article of manufacture that contains a moisturizing cream with little to no moisture, as currently claimed followed by applying the protective glove.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections under 35 U.S.C. § 102(e).

**C.** Claims 1, 2, 4-8, and 10 stand rejected under 35 U.S.C. § 102(e), alleged to be anticipated by Sine, et al., (U.S. Patent 6,183,766). Specifically, Sine is alleged to disclose a composition for sanitizing and moisturizing skin that comprises conditioning agents including cholesterol, jojoba oil, and vitamin E. The disclosure is alleged to teach that this composition can be incorporated into a non-woven, web substrate, and that such a composition is compatible with a protective glove. Applicants respectfully traverse the rejection.

The disclosure of Sine discloses a skin sanitizing composition that contains a moisturizing agent and a degreasing agent. The composition can be included on a wipe. Nevertheless, there is no teaching or suggestion that such a wipe can contain little or no moisture. Further, there is no teaching or suggestion relating to the use of such a wipe prior to application of a protective glove. Thus, Sine fails to teach or suggest the presently claimed method.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections under 35 U.S.C. § 102(e).

In light of all the above arguments, Applicants respectfully assert that the cited references do not anticipate the invention as claimed. Applicants respectfully request that the Examiner reconsider and withdraw the various rejections of the claims under 37 C.F.R. §§ 102(b) and (e).

## **II. Rejections of claims under 35 U.S.C. § 103(a).**

Claims 3 and 9 stand rejected under 35 U.S.C. § 103(a), alleged to be obvious and unpatentable over Sine, et al., (U.S. Patent 6,183,766) in view of Weinstein (U.S. Patent 5,961,500). Specifically, Weinstein is asserted to add to the disclosure of Sine in providing for a wipe that is sterile (Claim 3). Further, it is asserted that optimization of the amount of moisturizer in a substrate is obvious to one of skill, in order to obtain increased moisturizing capability. Applicants respectfully traverse the rejections.

In order to establish a *prima facie* case of obviousness, there must exist 1) a suggestion or motivation, either in the cited references or general knowledge of one of skill in the art, to modify or combine reference teachings; 2) a reasonable expectation of success; and 3) the cited art references must teach or suggest all the claim limitations. M.P.E.P. § 2143.

The deficiencies of the disclosure of Sine are discussed above. The disclosure of Weinstein does not cure the deficiencies of the Sine disclosure. Weinstein does not suggest or motivate the use of the presently recited article of manufacture prior to application of a protective glove. Therefore, Sine and Weinstein together fail to teach or suggest all the limitations of the claims.

Claim 12 stands rejected under 35 U.S.C. § 103(a), alleged to be unpatentable over EP 0032793. The '793 reference describes a cleansing article that contains an oleaginous, substantially water-free cleansing agent, that can be in the form of a wipe or mitten. The '793 reference fails to teach, disclose, or suggest application of the presently recited article of manufacture prior to the application of a protective glove nor the benefits achieved thereby (e.g., enabling easy application of the latex glove and/or preventing allergic reaction to the latex).

In view of the foregoing, the cited references cannot render the rejected claims obvious. The

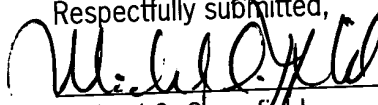
Applicant respectfully requests reconsideration and withdrawal of these rejections.

**Conclusion**

If the Examiner has any questions regarding this Response, the Examiner is invited to call the undersigned.

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Respectfully submitted,



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